

## REMARKS

The Applicants hereby submit this Amendment and Request For Reconsideration in response to the Office Action mailed on 21 March 2006 for the subject application.

The present application was filed with claims 1-25. In the present amendment, the Applicants amend claims 1, 3, 4, 7, 9, 19, 13, 15, 16, and 19 and cancel claims 20-23; no new claims have been added. Therefore, claims 1-19 and 24-25 as amended are currently pending in the present application. By this amendment, no new matter has been entered. The added limitations are fully supported in the present application as originally filed.

*In the Office Action of 21 March 2006, the Examiner rejected claims of the present application under 35 U.S.C. § 102 and 103 based on Johannesson et al. (WO 02/069661 A2) and what has been deemed “well-known” prior art under MPEP 2144.03. In response, the Applicants respectfully submit that the claims as amended are allowable over the prior art for at least the following reasons.*

In order for claims to be properly rejected under 35 U.S.C. § 102 and 103, the prior art alone or in combination must teach or suggest each and every limitation of the claims. Furthermore, there must be some adequate suggestion or motivation to combine the teachings of the prior art for rejection under 35 U.S.C. § 103.

The prior art of record – alone and in combination – fails to teach or suggest every limitation of the claims as amended. For one, Johannesson et al. do not teach or suggest the use of “scanning” to “receive” MNC and MCC information from the networks. In fact, Johannesson et al. utilizes a different technique and teaches away from the use of scanning (see e.g. page 4 at lines 4-12 of WO 02/069661: “In order to improve upon this system, rather than continuously or periodically scanning for a better PLMN 15 to serve the mobile station 10, the PLMN 15 currently serving the mobile station 10 may periodically transmit various information on neighboring PLMNs of the presently serving

PLMN as illustrated in FIGURE 2”; and page 7 at lines 18-20 of WO 02/069661: “Using the above described method, a mobile station may more efficiently select a PLMN to serve the mobile station without unnecessary scanning...”).

Further, Johannesson et al. do not teach or suggest the use of a “home network timer” or “HPLMN timer” as claimed: i.e. performing the recited steps “after each expiration of the periodic home network timer (e.g. HPLMN timer).” A periodic home network timer or HPLMN timer is a specific timer that is well known to those of ordinary skill in the art (e.g. see GSM standards specifications). Johannesson et al. appear to teach away from use of the home network timer (see e.g. page 1 at lines 28-30 of WO 02/069661: “Also, under the present standard the mobile station is required to search for the HPLMN every time the HPLMN timer expires, this can cause an unnecessary drain upon the battery power of the mobile station”; and page 4 at lines 4-12 of WO 02/069661: “In order to improve upon this system, rather than continuously or periodically scanning for a better PLMN 15 to serve the mobile station 10, the PLMN 15 currently serving the mobile station 10 may periodically transmit various information on neighboring PLMNs of the presently serving PLMN as illustrated in FIGURE 2”).

As apparent, the rejection by the Examiner further fails as there is lack of an adequate suggestion or motivation to combine the teachings of the prior art. Proper consideration must take into account any teachings that *teach away* from the suggested modification of the primary reference. In the present case, the Examiner merely states that periodic timers are well known in the art and that such modification would be desirable in order to provide automatic periodic scanning and switching. This is an insufficient motivation given the teachings away in the primary reference.

Therefore, the Applicants respectfully request the Examiner to withdraw the Section 102 and 103 rejections and allow the claims as amended.

*In the same Office Action, the Examiner objected to claim 23.* The Applicants have canceled claim 23 and therefore such objection is now moot.

Based on the above, the Applicants respectfully submit that the claims as amended are allowable over the prior art of record and the application is in a condition suitable for allowance.

Thank you. Please feel free to contact the undersigned if it would expedite prosecution of the application.

Date: 16 August 2006

Respectfully Submitted,



JOHN J. OSKOREP  
Reg. No. 41,234

JOHN J. OSKOREP, ESQ. LLC  
ONE MAGNIFICENT MILE CENTER  
980 N. MICHIGAN AVENUE, SUITE 1400  
CHICAGO, ILLINOIS 60611 USA

Telephone: (312) 222-1860  
Fax: (312) 475-1850